

IN THE UNITED STATES BANKRUPTCY COURT FOR
THE EASTERN DISTRICT OF TENNESSEE
NORTHERN DIVISION

In re Nora Mae Washington

Debtor

Case No. 3:21-bk-30043-SHB
Chapter 7

NOTICE OF OPPORTUNITY TO OBJECT AND FOR HEARING

Pursuant to Local Rule 9013-1(h), the court may consider this matter without further notice or hearing unless a party in interest files an objection. If you object to the relief requested in this paper, you must file with the clerk of the court at United States Bankruptcy, Howard H. Baker Jr. US Courthouse, Suite 330, 800 Market Street, Knoxville, TN 37902, an objection within 21 days from the date this paper was filed and serve a copy on the movant's attorney, **Zachary S. Burroughs**, 408 S. Northshore Drive, Knoxville, TN 37919, or via Electronic Case Filing; **US Trustee**, Suite 114, 800 Market Street, Howard H. Baker Jr. US Courthouse, Knoxville, TN 37902 and **John Newton**, Chapter 7 Trustee, 1111 Northshore Drive, Suite S-570, Knoxville TN 37919. If you file and serve an objection within the time permitted, the court will schedule a hearing and you will be notified. If you do not file an objection within the time permitted, the court will consider that you do not oppose the granting of the relief requested in this paper and may grant the relief requested without further notice or hearing.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

**MOTION BY DEBTOR TO AVOID JUDICIAL LIEN OF EULA SMITH
IMPAIRING DEBTOR'S HOMESTEAD EXEMPTION**

Comes now the Debtor, Nora Mae Washington, pursuant to 11 USC 522(f)(2)(A) and respectfully moves this Honorable Court as follows:

1. The Debtor filed a Chapter 7 Bankruptcy on January 13, 2021, and included in her schedules indebtedness owing to Eula Smith in the amount of \$25,000.00.
2. The Debtor listed on Schedule A her residential real estate located at 3735 Skyline Drive, Knoxville, TN 37914, and further claimed a homestead exemption of

\$25,000.00 in which she is entitled under TCA 26-2-301. Eula Smith through her attorneys, Banks and Jones, recorded a judgment lien encumbering the Debtor's residential real estate, which is recorded as Instrument #202007290007936 in the Knox County Register of Deeds office. A copy is attached hereto as Exhibit A, and is incorporated by reference to this motion.

3. The Debtor respectfully submits that the property has a fair market value of \$140,000.00. The Debtor's first mortgage on the property is \$139,551.00, owed to Quicken Loan, 1050 Woodward Avenue, Detroit, MI 48226.

4. The Debtors would submit that after the payment of the first mortgage, judgment lien, real estate commission, and the Debtor's allowable homestead exemption, Eula Smith's judgment lien in the amount of \$25,000.00 impairs the Debtor's homestead exemption.

WHEREFORE, Debtor moves this Honorable Court for an Order avoiding the judicial lien of Eula Smith on the Debtor's residence located at 3735 Skyline Drive, Knoxville, TN 37914, which impairs the Debtor's right to claim her homestead exemption.

NORA MAE WASHINGTON

/s/ Zachary S. Burroughs

Zachary S. Burroughs, #025896
Clark & Washington, PC
Attorneys for Debtor
408 S. Northshore Drive
Knoxville, TN 37919
(865) 281-8084 (phone)
(865) 862-8967 (fax)
cwknoxville@cw13.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that true and exact copies of the foregoing Motion by Debtor to Avoid Judicial Lien of Eula Smith Impairing Debtors Homestead Exemption, Exhibit and proposed Order have been forwarded to the following by U.S. Mail, postage prepaid, and/or Electronic Case Filing (ECF) on January 14, 2021.

U.S. Trustee (ECF)
800 Market Street Ste 114
Knoxville, TN 37902

John Newton (ECF)
Chapter 7 Trustee
1111 Northshore Drive, Suite S-570
Knoxville TN 37919

Nora Mae Washington (US MAIL)
3735 Skyline Drive
Knoxville, TN 37914

Eula Smith (US MAIL)
1109 Beaman Lake Road #211
Knoxville, TN 37914

Banks & Jones (US MAIL)
c/o Eula Smith
2125 Middlebrook Pike
Knoxville, TN 37921

See attached list of creditors (US MAIL)

/s/ Zachary S. Burroughs
Zachary S. Burroughs, #025896

abel Matrix for local noticing
649-3
ase 3:21-bk-30043-SHB
astern District of Tennessee
noxville
hu Jan 14 09:17:57 EST 2021

lark & Washington LLC
300 Northeast Expressway
ldg 3 Ste A
tanta, GA 30341-3932

ay Building Rentals
Box 331422
urfreesboro, TN 37133-1422

uicken Loan
350 Woodward Ave.
etroit, MI 48226-1906

p)US BANK
Box 5229
INCINNATI OH 45201-5229

ohn P. Newton Jr.
aw Offices of Mayer & Newton
111 Northshore Drive
uite S-570
noxville, TN 37919-4084

3
United States Bankruptcy Court
Howard H. Baker Jr. U.S. Courthouse
Suite 330, 800 Market Street
Knoxville, TN 37902-2343

Eula Smith
1109 Beaman Lake Road, #211
Knoxville, TN 37914-5774

Knox County General Sessions Court
Attn Wanda
300 Main Street Room 318
Knoxville, TN 37902-1851

SYNCE/Steinmart
PO Box 965005
Orlando, FL 32896-5005

United States Trustee
800 Market Street, Suite 114
Howard H. Baker Jr. U.S. Courthouse
Knoxville, TN 37902-2303

Nora Mae Washington
3735 Skyline Drive
Knoxville, TN 37914-4872

Banks and Jones
2125 Middlebrook Pike
Knoxville, TN 37921-5855

Geico
One Geico Center
Macon, GA 31201

Knox County Property Assessor
400 Main Street
Ste 204
Knoxville, TN 37902-2492

TD Auto Finance
PO Box 9223
Farmington, MI 48333-9223

Ashley Nicole Batts
Clark & Washington, LLC
408 S. Northshore Drive
Knoxville, TN 37919-7542

Zachary S. Burroughs
Clark & Washington, LLC
408 S. Northshore Drive
Knoxville, TN 37919-7542

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

S Bank
O. Box 108
aint Louis, MO 63166

End of Label Matrix
Mailable recipients 17
Bypassed recipients 0
Total 17